

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

BRAUN GmbH,

Plaintiff.

V.

REMINGTON PRODUCTS COMPANY,
LLC,

Defendant.

**CIVIL ACTION NO. 03-cv-12428-
WGY**

JOINT MOTION OF THE PARTIES' TO AMEND THE CAPTION

As set forth in Defendant's May 10, 2004 Corporate Disclosure, Remington Products, LLC merged with and into Rayovac Corporation effective March 29, 2004, with Rayovac Corporation as the surviving entity. As a result of this merger, Rayovac Corporation has assumed the assets and liabilities of Remington Products Company, LLC for the purposes of this litigation.

In order to comply with Federal Rules of Civil Procedure 17 and 25, the parties desire to amend the caption by naming Rayovac Corporation, the real party in interest, as Defendant.

WHEREFORE, the parties request that its joint motion be GRANTED.

Dated: December 10, 2004

<p>ROPES & GRAY LLP</p> <p>By: <u>/s/ Dalila Argaez Wendlandt</u></p> <p>William L. Patton (BBO #391640) Dalila Argaez Wendlandt (BBO #639280) Lesley Wolf (BBO #651199) ROPES & GRAY LLP One International Place Boston, MA 02110-2624 (617) 951-7000 Facsimile: (617) 951-7050</p>	<p>DWYER & COLLORA LLP</p> <p>By: <u>/s/ Joseph E. Haviland</u></p> <p>Joseph E. Haviland (BBO #643814) Dwyer & Collora LLP 600 Atlantic Avenue Boston, MA 0210-1122 (617) 371- 1000 Facsimile: (617)371-1037</p> <p>Mark A. Pals (admitted <i>pro hac vice</i>) James A. Shimota (admitted <i>pro hac vice</i>) Kevin S. Ueland (admitted <i>pro hac vice</i>) James B. Coughlan (admitted <i>pro hac vice</i>) KIRKLAND & ELLIS LLP Aon Center 200 E. Randolph Dr. Chicago, IL 60601 (312) 861-2000 Facsimile: (312) 861-2200</p>
<p>Attorneys for Plaintiff Braun GmbH</p> <p>Dated: December 10, 2004</p>	<p>Attorneys for Defendant Remington Products Company, LLC</p> <p>Dated: December 10, 2004</p>